

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: Bair Hugger Forced Air Warming
Devices Products Liability Litigation

MDL No. 15-2666 (JNE/DTS)

This Document Relates To:
All Actions

**DECLARATION OF BENJAMIN
W. HULSE IN SUPPORT OF
DEFENDANTS' RESPONSE TO
PLAINTIFFS' MOTION TO
AMEND PRETRIAL ORDER
NO. 23**

Under 28 U.S.C. § 1746, I, Benjamin W. Hulse, hereby declare as follows:

1. I am an attorney at the law firm of Blackwell Burke P.A., and one of the attorneys representing 3M Company (“3M”) and Arizant Healthcare Inc. (“Arizant”) (collectively “Defendants”) in this litigation. I submit this declaration in support of Defendants’ Response to Plaintiffs’ Motion to Amend Pretrial Order No. 23. Unless otherwise stated, the facts set forth herein are based upon my personal knowledge, information, and belief.

2. Attached as Exhibit A is a true and correct copy of an excerpt of the transcript for the status conference held in this matter on December 21, 2017.

3. Attached as Exhibit B is a true and correct copy of an excerpt of the transcript for the status conference held in this matter on August 16, 2018.

4. Attached as Exhibit C is a true and correct copy of an excerpt from the PFS served in *Lee v. 3M Company* (16-cv-00403) on March 8, 2017.

5. Attached as Exhibit D is a true and correct copy of an excerpt from the PFS served in *Maccarrone v. 3M Company* (16-cv-01832) on December 21, 2016.

6. Attached as Exhibit E is a true and correct copy of an excerpt from the PFS served in *Overko v. 3M Company* (16-cv-03391) on March 9, 2017.

7. Attached as Exhibit F is a true and correct copy of a letter from Plaintiff's counsel in *Harrison v. 3M Company* (17-cv-00570) dated June 30, 2017.

8. Attached as Exhibit G is a true and correct copy of the verification accompanying the PFS served in *Bozek v. 3M Company* (17-cv-01532) executed on August 8, 2017.

9. Attached as Exhibit H is a true and correct copy of an excerpt from the PFS served in *Graham v. 3M Company* (17-cv-01834) on August 30, 2017.

10. Attached as Exhibit I is a true and correct copy of a letter from Plaintiff's counsel in *Bond v. 3M Company* (16-cv-04161) dated June 29, 2017.

11. Attached as Exhibit J is a true and correct copy of a letter from Plaintiff's counsel in *Bond v. 3M Company* (16-cv-04161) dated July 19, 2017.

12. Attached as Exhibit K is a true and correct copy of a letter from Plaintiff's counsel in *Harper v. 3M Company, et al.* (17-cv-03055) dated April 19, 2018.

13. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Minneapolis, Minnesota, this 3rd day of October, 2018.

s/ Benjamin W. Hulse

Benjamin W. Hulse